

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DELVEN EARL RASPBERRY,

Defendant.

2:05-CR-00108-PMP-PAL

ORDER

Before the Court for consideration is Defendant Raspberry's Motion for Modification of a Sentence by a Person in Federal Custody (Doc. #71), filed on December 13, 2010. Having read and considered Defendant's Motion and the Government's Response in Opposition thereto (Doc. #72), and finding that the statute relied upon by Defendant is not retroactive, and good cause appearing,

IT IS ORDERED that Defendant Raspberry's Motion for Modification of a Sentence by a Person in Federal Custody (Doc. #71) is **DENIED**.

DATED: January 24, 2011.



PHILIP M. PRO
United States District Judge